

ABSTRACT

Public Servants - Allegation of Corruption against Sri T. Devadas, Prohibition & Excise Inspector, Prohibition & Excise Station, Shadnagar of Mahabubnagar District - Sanction of Prosecution - Orders - Issued.

REVENUE (VIGILANCE - V) DEPARTMENT

G.O.Ms.No. 76

Dated:27-01- 2011.

ORDER :

WHEREAS Sri T. Devadas worked as Prohibition & Excise Inspector at Prohibition & Excise Station, Shadnagar of Mahabubnagar District from 08.08.2007 to 27.11.2009 and by virtue of the post held by him, he falls under the category of Public Servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

2. AND WHERE AS it is alleged that Sri R. Anjaiah S/o. R. Pentaiah, age: 40 years, Occupation : Private Cashier of (5) Wine Shops at Shadnagar, R/o. Shadnagar of Mahabubnagar District. He is working as Cashier for the (5) Wine shops at Shadnagar and looking after the cash transactions and business transactions pertaining to the said wine shops viz., Durga Wines, Sri Kanakadurga Wines, Jai Bhavani Wines, Chamundeswarai Wines and Venkateswara Wines, Shadnagar since July, 2008 as their owners are busy in other business. Sri T. Devadas, Prohibition & Excise Inspector who is working as Station House Officer, Prohibition & Excise Station, Shadnagar is demanding a bribe of Rs.50,000/- @ Rs.10,000/- for each wine shop stating that he was not been paid any bribe since the establishment of shops and threatening that he will book false cases against wine shops, if the demanded bribe is not paid to him. When he requested the Prohibition & Excise Inspector that the wine shops are not turning out god business and they are not in a position to pay any bribe, Sri T. Devadas, Prohibition & Excise Inspector did not head to his request and insisting to pay the demanded bribe amount. On 20.11.2009 Sri T. Devadas, Prohibition & Excise Inspector called Sri R. Anjaiah and demanded to pay the bribe of Rs.50.000/- and also threatened him that if the demanded bribe is not paid to him, he will book false cases and sent them to jail. On that, Sri R. Anjaiah informed

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the Prohibition & Excise Inspector that he will consult the shop owners and meet him. Later on 22.11.2009 Sri R. Anjaiah consulted the shop owners about the demand of bribe by the Prohibition & Excise Inspector Sri T. Devadas, on which the owners told him not to pay any bribe to Prohibition & Excise Inspector and to lodge a complaint with Anti-Corruption Bureau Officials about the demand of bribe by the Prohibition & Excise Inspector.

3. As the wine shop owners are not willing to pay any bribe to Sri T. Devadas, Prohibition & Excise Inspector and if the demanded bribe is not paid to Prohibition & Excise Inspector, he may book false cases against wine shops and create problems in the smooth running of wine shops, Sri R. Anjaiah lodged the petition with Deputy Superintendent of Police, Anti-Corruption Bureau, Hyderabad Range at Hyderabad on 26.11.2009. After verifying the facts of the complaint, as well as reputation of Sri T. Devadas etc., the Deputy Superintendent of Police, Anti-Corruption Bureau, Hyderabad Range has registered a case in Crime No. 21/ACB-HR/2009 under section 7 of the Prevention of Corruption Act, 1988 on 27.11.2009 at 08.00 hour and investigated into.

4. AND Whereas on 27.11.2009 ie., on the date of trap, at about 12.05 hours, after leaving the trap party Sri R. Anjaiah entered into the office room of Sri T. Devadas, Prohibition & Excise Station at Shadnagar and found Sri T. Devadas, Prohibition & Excise Inspector present in his seat. On seeing him, Sri T. Devadas, Prohibition & Excise Inspector enquired whether the demanded bribe of Rs.50,000/- is brought. On the affirmative reply of Sri R. Anjaiah, the Prohibition & Excise Inspector Sri T. Devadas asked to pay the bribe amount. On which Sri T. Anjaiah took the wad of currency notes from his right side pant pocket and offered the same to Sri T. Devadas, who accepted the same with his left hand and also held the notes with his right hand and then kept them in his left side Pant pocket. Then Sri R. Anjaiah took out the Cash voucher of Sri Kanaka Durga Company dated 27.11.2009 and asked Sri T. Devadas, Prohibition & Excise Inspector to acknowledge the same in token of having received Rs.50,000/- towards (5) Wine Shops good will / Mamool Account. Sri T. Devadas signed over the receipt at the place specified for "received". Sri R. Anjaiah took back the same and came out of the room of Sri T. Devadas and then came out of the office into the open place and gave the pre-arranged signal by wiping his face with hand-kerchief indicating the demand and acceptance of bribe amount by Sri T. Devadas, Prohibition & Excise Inspector.

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5. The Phenolphthalein test conducted over both the hand fingers of Sri T. Devadas, Prohibition & Excise Inspector yielded positive result. The tainted currency of Rs.50,000/- was recovered at the instance and from the possession of Sri T. Devadas from his left side pant pocket in the presence of Mediators. The inner flap of left side pant pocket of Sri T. Devadas which came into contacts with the tainted currency, when subjected to Phenolphthalein test also yielded positive result.

6. AND WHEREAS the said acts of Sri T. Devadas, Prohibition & Excise Inspector, Prohibition & Excise Station, Shadnagar of Mahabubnagar District constitute the offences punishable under section 7 & 13 (2) read with 13 (1)(a) & (d) of the Prevention of Corruption Act, 1988.

7. AND WHEREAS the Government of Andhra Pradesh, being the Competent Authority to remove Sri T. Devadas from service, after fully and carefully examining the material i.e., FIR, Pre-trap, post-trap proceedings & other relevant material placed before them and having applied their mind to the facts and circumstances of the case consider that the said Sri T. Devadas, Prohibition & Excise Inspector, Prohibition & Excise Station, Shadnagar of Mahabubnagar district should be prosecuted in a Court of Law for the aforesaid offences.

8. NOW, THEREFORE, in exercise of the powers conferred under Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri T. Devadas, Prohibition & Excise Inspector, Prohibition & Excise Station, Shadnagar of Mahabubnagar District for the above said offences punishable under section 7 & 13 (2) read with 13 (1) (a) & (d) of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any provisions of Law for the time being in force and for taking cognizance of the said acts by a Court of Competent Jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(ASUTOSH MISHRA)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
A.P, Hyderabad.